

United States Court of Appeals
for the Fifth Circuit

No. 23-10016
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 7, 2023

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

DEMARCUS RAKESTRAW,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:17-CR-469-1

Before JOLLY, JONES, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Demarcus Rakestraw, federal prisoner # 27612-177, appeals the district court's denial of his request for compassionate release. He argues that the district court abused its discretion by not evaluating his declining health alongside his inability to receive the COVID-19 vaccine when denying him relief.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 23-10016

The district court did not abuse its discretion. *See United States v. Chambliss*, 948 F.3d 691, 693 (5th Cir. 2020). The court adequately considered Rakestraw's arguments in favor of compassionate release, but it concluded that 18 U.S.C. § 3553(a) weighed against it. *See Chavez-Meza v. United States*, 138 S. Ct. 1959, 1965-67 (2018); *United States v. Escajeda*, 58 F.4th 184, 188 (5th Cir. 2023). The record supports the district court's independent assessment of the § 3553(a) factors, and it is therefore unnecessary for us to discuss Rakestraw's remaining claims. *See United States v. Jackson*, 27 F.4th 1088, 1093 n.8 (5th Cir. 2022); *Ward v. United States*, 11 F.4th 354, 360-62 (5th Cir. 2021); *Chambliss*, 948 F.3d at 693-94.

AFFIRMED.